

**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
RENTON, WASHINGTON 98055-4056**

In the matter of the petition of

**LifePort, Inc.**

for an exemption from 14 CFR §§ 25.562  
and 25.785(b)

**Regulatory Docket No. 28834**

**GRANT OF EXEMPTION**

By letters dated February 4 and 24, 1997, Don Bechtold, Director of Engineering, LifePort, Inc., 12808 N.E. 95th St. Vancouver, WA 98682, petitioned for an exemption from 14 CFR §§ 25.562 and 25.785(b) to the extent necessary to permit certification of medical stretchers for transport of persons whose medical condition dictates such accommodation. The exemption is for installation on Cessna 750 series airplanes.

**Section of the FAR affected:**

Section 25.785(b) (Section 25.785(a) at Amendment 25-64) requires that each seat, berth, safety belt, harness, and adjacent part of the airplane at each station designated as occupiable during takeoff and landing must be designed so that a person making proper use of those facilities will not suffer serious injury in an emergency landing as a result of inertia forces specified in §§ 25.561 and 25.562.

Section 25.562 specifies dynamic test conditions for qualification of occupant injury criteria, as well as structural retention criteria.

**The petitioner's supportive information is as follows:**

“LifePort, Inc. hereby petitions for an exemption from 25.562 and part of 25.785(b) of the Federal Aviation Regulations (FAR) to the extent necessary to permit certification of medical stretchers for transport of persons whose medical condition dictates such accommodations. The exemption is for installing the LifePort PLUS and AeroSled system in the Cessna Model 750 (Citation X).”

“LifePort owns supplemental type certificates (STC’s) for the PLUS and AeroSled for numerous part 25, 23, 27 and 29 aircraft. The certification requirements for those aircraft have resulted in good service history with no adverse experience. No stretcher installations have been shown to meet the dynamic criteria. FAR parts 23, 27, and 29 specifically exclude litters from the dynamic criteria.

“LifePort notes that the estimated cost of demonstrating compliance is quite high considering the limited number of unites for which the cost could be amortized. Since none have been shown to comply with the dynamic test criteria, stretchers can not currently be used on airplanes whose type certificate basis includes the dynamic requirements. In this case, a person who needs to travel for essential medical care can either charter an airplane, at 5 to 10 times the cost of a commercial ticket, or if the cost is prohibitive, fail to receive the needed treatment (the consequences of which may be fatal). Another alternative would be flying an alternate route on an aircraft whose cert basis that does not require dynamic testing. This would offer no increase in safety and may not be available.”

“LifePort feels that granting the petition would be in the public interest for the following reasons:

- (1) The exemption would relieve an economic burden on a segment of the traveling public already dealing with adversity,
- (2) The level of safety that would be provided is an acceptable level of safety given the limited usage and exposure of the stretcher,
- (3) Compliance with the dynamic test requirements would be difficult at best, and very expensive, while returning a marginal safety benefit. In addition, section 25.562 is written for seats and would not be easily applied to a litter.”

LifePort also requested that the FAA waive publication and public comment, based on the fact that they had worked on their project in good faith for some months and were not made aware of the need for an exemption until February 4, 1997. The project is scheduled for completion in mid-May.

A summary of the petitioner's February 24, 1997, petition was published in the Federal Register on March 21, 1997 (62 FR 13730). No comments were received.

**The Federal Aviation Administration's analysis/summary is as follows:**

The FAA agrees that stretchers for medical use were not considered in the context of the dynamic test requirements of § 25.562 when the regulation was developed. Occupancy of other berths during takeoff and landing for ambulatory persons was not considered feasible under the conditions of § 25.562; and for the purposes of compliance, stretchers are considered “berths.” The FAA acknowledges that 14 CFR Part 25 differs from other aircraft regulatory standards in this regard.

The FAA agrees that demonstrating compliance with the requirements of § 25.562 would be very difficult, and applicability of the existing pass/fail criteria to these installations is questionable.

The FAA has also considered the cost implications and the overall benefits resulting from usage of the stretchers. If a person is forced to charter an airplane, when carriage by commercial carrier would have otherwise been acceptable, it is possible that the resultant cost would be prohibitive, and the necessary medical attention will not be available. Certainly, any safety benefit from averting the possible consequences of a stretcher not meeting the dynamic test requirements is moot in this case.

The FAA has also considered that the use of stretcher is limited, and on a case by case basis. The exposure to the possibility of an accident on any given flight is therefore less than for airplanes in general. Since use of the stretcher for takeoff and landing is limited only to those persons whose medical condition dictates travel in that manner, the FAA does not consider this a precedent setting finding.

With respect to the overall level of safety, the FAA notes that full compliance with the requirements of 14 CFR § 25.561 will be demonstrated for the stretcher. In addition, the remainder of the seats will fully comply with § 25.562. Therefore, the primary effect of the exemption is to alleviate compliance with the injury criteria for the occupant of the stretcher itself.

In consideration of the foregoing, I find that a grant of exemption is in the public interest, and will not significantly affect the overall level of safety provided by the regulations. Therefore, pursuant to the authority contained in 49 USC 40113 and 44701, formerly §§ 313(a) and 601(c) of the Federal Aviation Act of 1958 as amended, delegated to me by the Administrator (14 CFR 11.53), the petition of LifePort, Inc. for exemption from the

requirements of 14 CFR §§ 25.562, and 25.785(b), for installation of stretchers is hereby granted, with the following provision:

Occupancy for takeoff and landing is limited to non-ambulatory persons. Suitable means to identify this limitation shall be provided as part of the stretcher type design.

Issued in Renton, Washington, on

Darrell M. Pederson  
Acting Manager,  
Transport Airplane Directorate,  
Aircraft Certification Service, ANM-100